

1 15.405 (16) FUNERAL DIRECTORS EXAMINING BOARD. There is created a funeral
2 directors examining board in the department of ~~regulation and licensing~~ safety and
3 professional services. The funeral directors examining board shall consist of 6
4 members appointed for staggered 4-year terms. Four members shall be licensed
5 funeral directors under ch. 445 in this state. Two members shall be public members.

6 ***-1465/P4.67* *-0808/2.48* SECTION 153.** 15.405 (17) of the statutes is
7 amended to read:

8 15.405 (17) BARBERING AND COSMETOLOGY EXAMINING BOARD. There is created a
9 barbering and cosmetology examining board in the department of ~~regulation and~~
10 ~~licensing~~ safety and professional services. The barbering and cosmetology
11 examining board shall consist of 9 members appointed for 4-year terms. Four
12 members shall be licensed barbers, aestheticians, or cosmetologists, 2 members shall
13 be public members, one member shall be a representative of a private school of
14 barbering or cosmetology, one member shall be a representative of a public school of
15 barbering or cosmetology and one member shall be a licensed electrologist. Except
16 for the 2 members representing schools, no member may be connected with or have
17 any financial interest in a barbering or cosmetology school.

18 ***-1465/P4.68* *-0808/2.49* SECTION 154.** 15.406 (2) (intro.) of the statutes is
19 amended to read:

20 15.406 (2) DIETITIANS AFFILIATED CREDENTIALING BOARD. (intro.) There is created
21 in the department of ~~regulation and licensing~~ safety and professional services,
22 attached to the medical examining board, a dietitians affiliated credentialing board
23 consisting of the following members appointed for 4-year terms:

24 ***-1465/P4.69* *-0808/2.50* SECTION 155.** 15.406 (3) (intro.) of the statutes is
25 amended to read:

1 15.406 (3) PODIATRY AFFILIATED CREDENTIALING BOARD. (intro.) There is created
2 in the department of ~~regulation and licensing~~ safety and professional services,
3 attached to the medical examining board, a podiatry affiliated credentialing board
4 consisting of the following members appointed for 4-year terms:

5 ***-1465/P4.70* *-0808/2.51* SECTION 156.** 15.406 (4) (intro.) of the statutes is
6 amended to read:

7 15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. (intro.) There
8 is created in the department of ~~regulation and licensing~~ safety and professional
9 services, attached to the medical examining board, an athletic trainers affiliated
10 credentialing board consisting of the following members appointed for 4-year terms:

11 ***-1465/P4.71* *-0808/2.52* SECTION 157.** 15.406 (5) (intro.) of the statutes is
12 amended to read:

13 15.406 (5) OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD. (intro.)
14 There is created in the department of ~~regulation and licensing~~ safety and
15 professional services, attached to the medical examining board, an occupational
16 therapists affiliated credentialing board consisting of the following members
17 appointed for 4-year terms:

18 ***-1465/P4.72* *-0808/2.53* SECTION 158.** 15.406 (6) (a) (intro.) of the statutes
19 is amended to read:

20 15.406 (6) (a) (intro.) There is created in the department of ~~regulation and~~
21 ~~licensing~~ safety and professional services, attached to the medical examining board,
22 a massage therapy and bodywork therapy affiliated credentialing board. The
23 affiliated credentialing board shall consist of the following 7 members appointed for
24 4-year terms:

1 ***-1465/P4.73* *-0808/2.54* SECTION 159.** 15.407 (1m) of the statutes is
2 amended to read:

3 15.407 (1m) RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL. There is
4 created a respiratory care practitioners examining council in the department of
5 ~~regulation and licensing~~ safety and professional services and serving the medical
6 examining board in an advisory capacity in the formulating of rules to be
7 promulgated by the medical examining board for the regulation of respiratory care
8 practitioners. The respiratory care practitioners examining council shall consist of
9 3 certified respiratory care practitioners, each of whom shall have engaged in the
10 practice of respiratory care for at least 3 years preceding appointment, one physician
11 and one public member. The respiratory care practitioner and physician members
12 shall be appointed by the medical examining board. The members of the examining
13 council shall serve 3-year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply
14 to the respiratory care practitioners examining council.

15 ***-1465/P4.74* *-0808/2.55* SECTION 160.** 15.407 (2) (intro.) of the statutes is
16 amended to read:

17 15.407 (2) COUNCIL ON PHYSICIAN ASSISTANTS. (intro.) There is created a council
18 on physician assistants in the department of ~~regulation and licensing~~ safety and
19 professional services and serving the medical examining board in an advisory
20 capacity. The council's membership shall consist of:

21 ***-1465/P4.75* *-0808/2.56* SECTION 161.** 15.407 (2m) (intro.) of the statutes
22 is amended to read:

23 15.407 (2m) (intro.) There is created a perfusionists examining council in the
24 department of ~~regulation and licensing~~ safety and professional services and serving

1 the medical examining board in an advisory capacity. The council shall consist of the
2 following members appointed for 3-year terms:

3 ***-1465/P4.76* *-0808/2.57* SECTION 162.** 15.407 (3) (intro.) of the statutes is
4 amended to read:

5 15.407 (3) EXAMINING COUNCILS; BOARD OF NURSING. (intro.) The following
6 examining councils are created in the department of ~~regulation and licensing~~ safety
7 and professional services to serve the board of nursing in an advisory capacity.
8 Section 15.08 (1) to (4) (a) and (6) to (10), applies to the examining councils.

9 ***-1272/P4.8* SECTION 163.** 15.407 (5) of the statutes is amended to read:

10 15.407 (5) COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS. There is
11 created in the department of ~~regulation and licensing~~ safety and professional
12 services a council on real estate curriculum and examinations consisting of 7
13 members appointed for 4-year terms. Five members shall be real estate brokers or
14 salespersons licensed under ch. 452 and 2 members shall be public members. Of the
15 real estate broker or salesperson members, one member shall be a member of the real
16 estate examining board appointed by the real estate examining board, at least 2
17 members shall be licensed real estate brokers with at least 5 years of experience as
18 real estate brokers, and at least one member shall be a licensed real estate
19 salesperson with at least 2 years of experience as a real estate salesperson. Of the
20 2 public members, at least one member shall have at least 2 years of experience in
21 planning or presenting real estate educational programs. No member of the council
22 may serve more than 2 consecutive terms.

****NOTE: This is reconciled s. 15.407 (5). This SECTION has been affected by drafts
with the following LRB numbers: -1272/P3 and -1465/P3.

1 ***-1465/P4.77* *-0808/2.59* SECTION 164.** 15.407 (6) (intro.) of the statutes is
2 amended to read:

3 15.407 (6) PHARMACIST ADVISORY COUNCIL. (intro.) There is created a pharmacist
4 advisory council in the department of ~~regulation and licensing~~ safety and
5 professional services and serving the pharmacy examining board in an advisory
6 capacity. The council shall consist of the following members appointed for 3-year
7 terms:

8 ***-1465/P4.79* *-0808/2.61* SECTION 165.** 15.407 (8) (intro.) of the statutes is
9 amended to read:

10 15.407 (8) CREMATORY AUTHORITY COUNCIL. (intro.) There is created a crematory
11 authority council in the department of ~~regulation and licensing~~ safety and
12 professional services consisting of the secretary of ~~regulation and licensing~~ safety
13 and professional services or a designee of the secretary, who shall serve as a
14 nonvoting member, and the following persons appointed for 3-year terms:

15 ***-1465/P4.80* *-0808/2.62* SECTION 166.** 15.407 (9) (a) (intro.) of the statutes
16 is amended to read:

17 15.407 (9) (a) (intro.) There is created a sign language interpreter council in
18 the department of ~~regulation and licensing~~ safety and professional services
19 consisting of the secretary of ~~regulation and licensing~~ safety and professional
20 services or a designee of the secretary and the following 8 members nominated by the
21 governor, and with the advice and consent of the senate appointed, for 3-year terms:

22 ***-1465/P4.81* *-1059/P3.24* SECTION 167.** 15.435 (1) (a) 1. of the statutes is
23 amended to read:

1 15.435 (1) (a) 1. The ~~secretary of commerce~~ chief executive officer of the
2 Wisconsin Economic Development Corporation and the secretary of revenue or their
3 designees.

4 ***-1097/3.2* SECTION 168.** 15.445 (1) of the statutes is amended to read:

5 15.445 (1) ARTS BOARD. There is created an arts board ~~which is attached to~~ in
6 the department of tourism ~~under s. 15.03~~. The arts board shall consist of 15 members
7 appointed for 3-year terms who are residents of this state and who are known for
8 their concern for the arts. At least 2 members shall be from the northwest portion
9 of this state, at least 2 members shall be from the northeast portion of this state, at
10 least 2 members shall be from the southwest portion of this state, and at least 2
11 members shall be from the southeast portion of this state.

12 ***-1465/P4.82* *-0808/2.63* SECTION 169.** 15.445 (2) (e) of the statutes is
13 amended to read:

14 15.445 (2) (e) *Liaison representatives.* The secretary of agriculture, trade and
15 consumer protection, the secretary of natural resources, the secretary of
16 transportation, ~~the secretary of commerce~~, the secretary of administration, the
17 director of the state historical society and the chancellor of the University of
18 Wisconsin-Extension, or their designees, shall serve as liaison representatives to
19 the board. The board may request any federally recognized American Indian tribe
20 or band in this state, other than the Ho-Chunk Nation, that expresses an interest
21 in the governance of the Kickapoo valley reserve to appoint a liaison representative
22 to the board. The liaison representatives are not board members and have no voting
23 power.

24 ***-1187/P5.40* SECTION 170.** 15.67 (1) (a) 1m. of the statutes is created to read:

1 15.67 (1) (a) 1m. One member of the board of trustees of the University of
2 Wisconsin-Madison.

3 ***-1187/P5.41* SECTION 171.** 15.797 (1) (b) 8. of the statutes is amended to read:

4 15.797 (1) (b) 8. One member who is a University of Wisconsin System or
5 University of Wisconsin-Madison faculty member with expertise regarding the
6 health impacts of wind energy systems.

7 ***-1187/P5.42* SECTION 172.** 15.91 of the statutes is amended to read:

8 **15.91 Board of regents of the University of Wisconsin System; creation.**

9 There is created a board of regents of the University of Wisconsin System consisting
10 of the state superintendent of public instruction, the president, or by his or her
11 designation another member, of the technical college system board and 14 citizen
12 members appointed for staggered 7-year terms, and 2 students enrolled at least
13 half-time and in good academic standing at institutions within the University of
14 Wisconsin System who are residents of this state, for 2-year terms. The student
15 members may be selected from recommendations made by elected representatives
16 of student governments at institutions within the University of Wisconsin System.
17 The governor shall appoint one student member who is at least 18 years old and one
18 undergraduate student member who is at least 24 years old and represents the views
19 of nontraditional students, such as those who are employed or are parents. The
20 governor may not appoint a student member from the same institution in any 2
21 consecutive terms; and the 2 student members who are appointed may not be from
22 the same institution; ~~and a student from the University of Wisconsin-Madison and~~
23 ~~a student from the University of Wisconsin-Milwaukee may not serve on the Board~~
24 ~~of Regents at the same time.~~ If a student member loses the status upon which the
25 appointment was based, he or she shall cease to be a member of the board of regents.

1 ***-1187/P5.43* SECTION 173.** 15.915 (1) of the statutes is repealed.

2 ***-1187/P5.44* SECTION 174.** 15.915 (2) of the statutes is repealed.

3 ***-1465/P4.83* *-0808/2.64* SECTION 175.** 15.917 (1) (intro.) of the statutes is
4 amended to read:

5 15.917 (1) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the
6 University of Wisconsin System a rural health development council consisting of 17
7 members nominated by the governor, and with the advice and consent of the senate
8 appointed, for 5-year terms, and the ~~secretaries~~ secretary of ~~commerce and~~ health
9 services, or ~~their designees~~ his or her designee. The appointed members shall
10 include all of the following:

11 ***-1187/P5.45* SECTION 176.** 15.917 (1) (a) of the statutes is amended to read:

12 15.917 (1) (a) A representative of the University of Wisconsin ~~Medical School~~
13 of Medicine and Public Health.

14 ***-1187/P5.46* SECTION 177.** 15.94 (intro.) of the statutes is amended to read:

15 **15.94 Technical college system board; creation.** (intro.) There is created
16 a technical college system board consisting of ~~13~~ 14 members. No person may serve
17 as president of the board for more than 2 successive annual terms. The board shall
18 be composed of:

19 ***-1187/P5.47* SECTION 178.** 15.94 (2v) of the statutes is created to read:

20 15.94 (2v) The chairperson, or by his or her designation another member, of the
21 board of trustees of the University of Wisconsin-Madison.

22 ***-1187/P5.48* SECTION 179.** 15.96 (1) (b) of the statutes is amended to read:

23 15.96 (1) (b) Three members of the board of ~~regents~~ trustees of the University
24 of Wisconsin-Madison appointed by the ~~president~~ chairperson of the board of regents
25 trustees.

1 ***-1187/P5.49* SECTION 180.** 15.96 (1) (d) of the statutes is amended to read:

2 15.96 (1) (d) The dean of the University of ~~Wisconsin-Madison Medical~~
3 Wisconsin School of Medicine and Public Health.

4 ***-1187/P5.50* SECTION 181.** 15.96 (1) (e) of the statutes is amended to read:

5 15.96 (1) (e) A chairperson of a department at the University of
6 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
7 appointed by the chancellor of the University of Wisconsin-Madison.

8 ***-1187/P5.51* SECTION 182.** 15.96 (1) (f) of the statutes is amended to read:

9 15.96 (1) (f) A faculty member of a health professions school of the University
10 of Wisconsin-Madison ~~health professions school~~, other than the University of
11 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
12 appointed by the chancellor of the University of Wisconsin-Madison.

13 ***-1187/P5.52* SECTION 183.** 16.002 (2) of the statutes, as affected by 2011

14 Wisconsin Act 7, is amended to read:

15 16.002 (2) "Departments" means constitutional offices, departments, and
16 independent agencies and includes all societies, associations, and other agencies of
17 state government for which appropriations are made by law, but not including
18 authorities created in subch. II of ch. 114 or subch. III of ch. 149 or in ~~chs.~~ ch. 37, 52,
19 231, 232, 233, 234, 235, 237, 238, or 279.

****NOTE: The above exempts the UW from the following:

Section 16.52 (11), which allows the DOA secretary to "allocate and charge, and ...
prescribe the procedures for departments to allocate and charge, the central services
costs of [DOA] or of individual departments to selected federal grants or contracts."

Section 16.53 (1) (ca), which requires all departments to "diligently review and
supervise the travel expenditures of their employees" and allows them to promulgate
rules governing such expenditures that are consistent with uniform guidelines
established under s. 20.916 (8).

Section 16.54 (10), which requires all departments, "before acceptance of any
federal grant on behalf of the state which will or may involve the provision of auditing

services by the legislative audit bureau," to provide written notification to the state auditor.

Section 16.61 (3) (d) 1., which requires the public records board to establish a system for protecting essential public records in the event of a disaster and consult with state departments in determining what public records are essential for such system.

Section 16.61 (3) (d) 4., which requires the public records board to furnish state departments with copies of its final plan for preserving essential public records.

Section 16.85 (6), which requires DOA to "approve the appointment of a principal engineer or architect for departments, boards and commissions and when such continuous service is needed."

1 ***-1187/P5.53* SECTION 184.** 16.004 (4) of the statutes, as affected by 2011
2 Wisconsin Act 7, is amended to read:

3 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
4 department as the secretary designates may enter into the offices of state agencies
5 and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under
6 chs. 37, 52, 231, 233, 234, 237, 238, and 279, and may examine their books and
7 accounts and any other matter that in the secretary's judgment should be examined
8 and may interrogate the agency's employees publicly or privately relative thereto.

9 ***-1187/P5.54* SECTION 185.** 16.004 (5) of the statutes, as affected by 2011
10 Wisconsin Act 7, is amended to read:

11 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
12 authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs.
13 37, 52, 231, 233, 234, 237, 238, and 279, and their officers and employees, shall
14 cooperate with the secretary and shall comply with every request of the secretary
15 relating to his or her functions.

16 ***-1187/P5.55* SECTION 186.** 16.004 (8) (am) of the statutes is amended to read:

17 16.004 (8) (am) The secretary shall maintain a system of rental policies for
18 state-owned housing administered by all agencies other than the University of
19 Wisconsin-Madison, and shall periodically review the system for possible changes.

1 Whenever the secretary proposes to change rental policies other than rental rates,
2 the secretary shall submit a report relating to the system to the joint committee on
3 finance. The report shall include any changes in rental policies recommended by the
4 secretary.

5 ***-1187/P5.56* SECTION 187.** 16.004 (12) (a) of the statutes, as affected by 2011
6 Wisconsin Act 7, is amended to read:

7 16.004 (12) (a) In this subsection, "state agency" means an association,
8 authority, board, department, commission, independent agency, institution, office,
9 society, or other body in state government created or authorized to be created by the
10 constitution or any law, including the legislature, the office of the governor, and the
11 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
12 the University of Wisconsin-Madison, the Wisconsin Aerospace Authority, the
13 Health Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation
14 Authority, the Wisconsin Quality Home Care Authority, the Wisconsin Economic
15 Development Corporation, and the Fox River Navigational System Authority.

16 ***-1252/P3.1* SECTION 188.** 16.004 (15) (bm) of the statutes is repealed.

17 ***-0241/4.1* SECTION 189.** 16.009 (1) (em) 6. of the statutes is amended to read:

18 16.009 (1) (em) 6. An adult family home, as defined in s. 50.01 (1) ~~(a) or (b)~~.

19 ***-1187/P5.57* SECTION 190.** 16.04 (1) (intro.) of the statutes is amended to
20 read:

21 16.04 (1) (intro.) The department shall ensure optimum efficiency and economy
22 in the fleet management and maintenance activities of all agencies, as defined in s.
23 16.52 (7), other than the University of Wisconsin- Madison. The department may:

24 ***-1224/P3.2* SECTION 191.** 16.04 (1) (a) of the statutes is amended to read:

SECTION 191

1 16.04 (1) (a) Develop uniform state policies and guidelines for vehicle and
2 aircraft acquisition, use, maintenance, recording of operational and other costs,
3 performance evaluation and replacement of vehicles and aircraft. The department
4 shall incorporate the fuel usage ~~requirements~~ policies under s. 16.045 (4m) in any
5 policies or guidelines developed under this paragraph.

6 ***-1187/P5.58* SECTION 192.** 16.045 (1) (a) of the statutes, as affected by 2011
7 Wisconsin Act 7, is amended to read:

8 16.045 (1) (a) "Agency" means an office, department, independent agency,
9 institution of higher education, association, society, or other body in state
10 government created or authorized to be created by the constitution or any law, that
11 is entitled to expend moneys appropriated by law, including the legislature and the
12 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
13 ch. 149 or in ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.

****NOTE: The above exempts the UW from DOA's authority over agency use of
gasohol, alternative fuels, and hybrid-electric vehicles.

14 ***-1224/P3.3* SECTION 193.** 16.045 (1) (f) of the statutes is repealed.

15 ***-1224/P3.4* SECTION 194.** 16.045 (2) of the statutes is amended to read:

16 16.045 (2) The department shall, whenever feasible, ~~require and cost-effective,~~
17 encourage agencies to store no motor fuel except gasohol or alternative fuel in
18 facilities maintained by the agencies for the storage of fuel for and the refueling of
19 state-owned or state-leased vehicles. This subsection does not authorize
20 construction or operation of such facilities.

21 ***-1224/P3.5* SECTION 195.** 16.045 (4) of the statutes is amended to read:

22 16.045 (4) The department shall ~~require, whenever feasible and cost-effective,~~
23 encourage all state employees to utilize hybrid-electric vehicles or vehicles that

1 operate on gasohol or alternative fuel for all state-owned or state-leased motor
2 vehicles whenever such utilization is feasible. However, the department shall not
3 lease or purchase any hybrid-electric vehicle, or authorize the lease or purchase of
4 any hybrid-electric vehicle, unless the manufacturer certifies to the department
5 that final assembly of the vehicle occurred in the United States.

6 ***-1224/P3.6* SECTION 196.** 16.045 (4m) (intro.) of the statutes is amended to
7 read:

8 16.045 (4m) (intro.) The department shall require, whenever feasible and
9 cost-effective, encourage all agencies to collectively reduce the usage of gasoline and
10 diesel fuel in state-owned vehicles that is petroleum-based below the total amount
11 that the agencies used in 2006 by at least the following percentages:

12 ***-1224/P3.7* SECTION 197.** 16.045 (4m) (a) (intro.) and 1. of the statutes are
13 consolidated, renumbered 16.045 (4m) (a) and amended to read:

14 16.045 (4m) (a) For gasoline: 1. Twenty, 20 percent by 2010 2015.

15 ***-1224/P3.8* SECTION 198.** 16.045 (4m) (a) 2. of the statutes is repealed.

16 ***-1224/P3.9* SECTION 199.** 16.045 (4m) (b) (intro.) and 1. of the statutes are
17 consolidated, renumbered 16.045 (4m) (b) and amended to read:

18 16.045 (4m) (b) For diesel fuel: 1. Ten, 10 percent by 2010 2015.

19 ***-1224/P3.10* SECTION 200.** 16.045 (4m) (b) 2. of the statutes is repealed.

20 ***-1224/P3.11* SECTION 201.** 16.045 (5) of the statutes is amended to read:

21 16.045 (5) The department shall, whenever feasible and cost-effective,
22 encourage distribution of gasohol and alternative fuels and usage of hybrid-electric
23 vehicles or vehicles that operate on gasohol or alternative fuels by officers and
24 employees who use personal motor vehicles on state business and by residents of this
25 state generally. ~~The department shall report to the appropriate standing committees~~

1 under s. 13.172 (3) concerning distribution of gasohol and alternative fuels and usage
2 of hybrid electric vehicles and vehicles that operate on gasohol or alternative fuels
3 in this state, no later than April 30 of each year.

4 ***-1224/P3.12* SECTION 202.** 16.045 (6) of the statutes is repealed.

5 ***-1050/P3.1* SECTION 203.** 16.15 (1) (ae) of the statutes is amended to read:

6 16.15 (1) (ae) "Cost of disposing of processed material" has the meaning given
7 in s. 287.11 (2m) (a) 1 means the gross cost of transferring processed material to a
8 solid waste disposal facility and disposing of the processed material in the facility,
9 including any disposal costs not paid through fees charged by the facility.

10 ***-1050/P3.2* SECTION 204.** 16.15 (1) (ah) of the statutes is amended to read:

11 16.15 (1) (ah) "Cost of selling processed material" has the meaning given in s.
12 287.11 (2m) (a) 2 means the net cost, including any storage costs, of selling processed
13 material to a broker, dealer or manufacturing facility, plus any cost of transporting
14 the processed material from the waste processing facility to the destination specified
15 by the broker, dealer, or manufacturing facility.

16 ***-1050/P3.3* SECTION 205.** 16.15 (1) (ar) of the statutes is amended to read:

17 16.15 (1) (ar) "Processed material" has the meaning given in s. 287.11 (2m) (a)
18 3 means a component of solid waste that has been collected, transported to a waste
19 processing facility, and prepared for sale to a broker, dealer, or manufacturer.

20 ***-0830/P6.1* SECTION 206.** 16.19 of the statutes is repealed.

21 ***-0698/3.5* SECTION 207.** 16.255 (1) (intro.) of the statutes is amended to read:

22 16.255 (1) (intro.) The department shall determine the factors to be considered
23 in selecting a vendor of the program under s. 14.64 16.641, which shall include:

24 ***-0698/3.6* SECTION 208.** 16.255 (3) (d) of the statutes is amended to read:

1 16.255 (3) (d) That the vendor communicate to the beneficiary and account
2 owner the requirements of s. ~~14.64~~ 16.641 (8).

3 ***-1231/2.4* SECTION 209.** 16.257 of the statutes is repealed.

4 ***-1019/5.1* SECTION 210.** 16.27 (5) (c) of the statutes is amended to read:

5 16.27 (5) (c) A household entirely composed of persons receiving aid to families
6 with dependent children under s. 49.19, food stamps under 7 USC 2011 to 2036, or
7 supplemental security income or state supplemental payments under 42 USC 1381
8 to 1383c or s. ~~49.77~~ 49.39.

9 ***-1195/2.1* SECTION 211.** 16.27 (5) (c) of the statutes, as affected by 2011
10 Wisconsin Act (this act), is amended to read:

11 16.27 (5) (c) A household entirely composed of persons receiving aid to families
12 with dependent children under s. 49.19, ~~food stamps~~ supplemental nutrition
13 assistance program benefits under 7 USC 2011 to 2036, or supplemental security
14 income or state supplemental payments under 42 USC 1381 to 1383c or s. 49.39.

 ***NOTE: This is reconciled s. 16.27 (5) (c). This SECTION has been affected by drafts
with the following LRB numbers: 1019/4 and 1195/1.

15 ***-1195/2.2* SECTION 212.** 16.27 (5) (e) of the statutes is amended to read:

16 16.27 (5) (e) A household that is not eligible under par. (c) that includes at least
17 one person who is eligible for ~~food stamps~~ supplemental nutrition assistance
18 program benefits under 7 USC 2011 to 2036, excluding any household in an
19 institution, as defined by the department of health services by rule.
20 Notwithstanding sub. (6), a household under this paragraph shall be eligible for a
21 heating assistance benefit of not more than \$1.

22 ***-1450/2.2* SECTION 213.** 16.28 of the statutes is created to read:

1 **16.28 Office of business development.** (1) The office of business
2 development shall perform the functions determined by the secretary.

3 (2) The deputy director of the office shall be appointed by the governor to serve
4 at his or her pleasure.

5 *-1465/P4.84* *-0805/P2.3* **SECTION 214.** 16.40 (24) of the statutes is created
6 to read:

7 16.40 (24) Ensure performance of a duty or satisfaction of an obligation
8 transferred to the Wisconsin Housing and Economic Development Authority under
9 2011 Wisconsin Act (this act), section 9110 (1), if the Wisconsin Housing and
10 Economic Development Authority fails to perform the duty or satisfy the obligation.

11 *-1187/P5.59* **SECTION 215.** 16.41 (1) of the statutes is amended to read:

12 16.41 (1) All agencies shall keep their accounts and other financial records as
13 prescribed by the secretary under s. 16.40 (5), except as otherwise specifically
14 directed by law. All agencies and authorities and the University of
15 Wisconsin-Madison shall furnish to the secretary all information relating to their
16 financial transactions which the secretary requests pursuant to this subchapter for
17 such periods as the secretary requests, and shall render such assistance in
18 connection with the preparation of the state budget report and the budget bill and
19 in auditing accounts, as the secretary or the governor may require.

20 *-1187/P5.60* **SECTION 216.** 16.417 (1) (a) of the statutes, as affected by 2011
21 Wisconsin Act 7, section 19, is amended to read:

22 16.417 (1) (a) "Agency" means an office, department, independent agency,
23 institution of higher education, association, society, or other body in state
24 government created or authorized to be created by the constitution or any law, that
25 is entitled to expend moneys appropriated by law, including the legislature and the

1 courts, but not including an authority or the body created under subch. III of ch. 149
2 or under ch. 37 or 238.

****NOTE: The above exempts the UW from the dual retention/employment requirements of s. 16.417 that apply to agencies and authorities. Note that s. 16.417 (1) (b) defines "authority" to include authorities created under specified statutes. By not including the UW in s. 16.417 (1) (b), and by excluding the UW from the definition of "agency" in the above, this draft exempts the UW from s. 16.417.

3 ***-1187/P5.61* SECTION 217.** 16.417 (1) (a) of the statutes, as affected by 2011
4 Wisconsin Act 7, section 20, and 2011 Wisconsin Act (this act), is repealed and
5 recreated to read:

6 16.417 (1) (a) "Agency" means an office, department, independent agency,
7 institution of higher education, association, society, or other body in state
8 government created or authorized to be created by the constitution or any law, that
9 is entitled to expend moneys appropriated by law, including the legislature and the
10 courts, but not including an authority or the body created under subch. III of ch. 149
11 or under ch. 37.

12 ***-1187/P5.62* SECTION 218.** 16.42 (1) (intro.) of the statutes is amended to
13 read:

14 16.42 (1) (intro.) All agencies, ~~other than~~ including the University of
15 Wisconsin-Madison but excluding the legislature and the courts, no later than
16 September 15 of each even-numbered year, in the form and content prescribed by the
17 department, shall prepare and forward to the department and to the legislative fiscal
18 bureau the following program and financial information:

19 ***-0393/2.1* SECTION 219.** 16.505 (2m) of the statutes is amended to read:

20 16.505 (2m) The board of regents of the University of Wisconsin System may
21 create or abolish a full-time equivalent position or portion thereof from revenues
22 appropriated under s. 20.285 (1) (~~gs~~), (h), (ip), (iz), (j), (~~ke~~), (m), (n), or (q) to (w) or (3)

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(iz) or (n) and may create or abolish a full-time equivalent position or portion thereof from revenues appropriated under s. 20.285 (1) (im) that are generated from increased enrollment and from courses for which the academic fees or tuition charged equals the full cost of offering the courses. No later than the last day of the month following completion of each calendar quarter, the board of regents shall report to the department and the cochairpersons of the joint committee on finance concerning the number of full-time equivalent positions created or abolished by the board under this subsection during the preceding calendar quarter and the source of funding for each such position.

***-1187/P5.63* SECTION 220.** 16.513 (1) of the statutes is amended to read:

16.513 (1) Each agency, including the University of Wisconsin-Madison, which has a program revenue appropriation or appropriation of segregated revenues from program receipts shall, at such times as required by the secretary, make quarterly reports to the department projecting the revenues and expenditures for the ensuing quarterly period under each such appropriation to the agency.

***-1187/P5.64* SECTION 221.** 16.513 (3) (a) of the statutes is amended to read:

16.513 (3) (a) If there are insufficient moneys, assets, or accounts receivable, as determined under s. 20.903 (2), that are projected by an agency, including the University of Wisconsin-Madison, or projected by the department under s. 16.40 (7) to cover anticipated expenditures under a program revenue appropriation or appropriation of segregated revenues from program receipts, the agency shall propose and submit to the department a plan to assure that there are sufficient moneys, assets, or accounts receivable to meet projected expenditures under the appropriation.

1 ***-1187/P5.65* SECTION 222.** 16.528 (1) (a) of the statutes, as affected by 2011
2 Wisconsin Act 7, is amended to read:

3 16.528 (1) (a) "Agency" means an office, department, independent agency,
4 institution of higher education, association, society, or other body in state
5 government created or authorized to be created by the constitution or any law, that
6 is entitled to expend moneys appropriated by law, including the legislature and the
7 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
8 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

 ****NOTE: The above exempts the UW from the requirements under s. 16.528 for
an agency to pay interest on late payments made by the agency.

9 ***-1187/P5.66* SECTION 223.** 16.53 (2) of the statutes, as affected by 2011
10 Wisconsin Act 7, is amended to read:

11 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
12 invoice, the agency shall notify the sender of the invoice within 10 working days after
13 it receives the invoice of the reason it is improperly completed. In this subsection,
14 "agency" means an office, department, independent agency, institution of higher
15 education, association, society, or other body in state government created or
16 authorized to be created by the constitution or any law, that is entitled to expend
17 moneys appropriated by law, including the legislature and the courts, but not
18 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.
19 37, 52, 231, 233, 234, 237, 238, or 279.

20 ***-1187/P5.67* SECTION 224.** 16.53 (7) of the statutes is amended to read:

21 16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The
22 certificate of the proper officers of the ~~board of regents~~ Board of Regents of the
23 University of Wisconsin System, the Board of Trustees of the University of

1 Wisconsin-Madison, the department of health services, or the proper officers of any
2 other board or commission organized or established by the state, shall in all cases be
3 evidence of the correctness of any account which may be certified by them.

4 ***-1187/P5.68* SECTION 225.** 16.54 (8g) of the statutes is amended to read:

5 16.54 (8g) Subsections (1) to (8) do not apply to federal moneys made available
6 to the ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~or the~~
7 Board of Trustees of the University of Wisconsin-Madison for instruction, extension,
8 special projects or emergency employment opportunities.

****NOTE: The above ensures that the UW maintains an exemption under current
law that applies to the UW-System.

9 ***-1187/P5.69* SECTION 226.** 16.54 (8r) (a) of the statutes is amended to read:

10 16.54 (8r) (a) Whenever the federal government makes available moneys for
11 instruction, extension, special projects or emergency employment opportunities, the
12 ~~board of regents~~ Board of Regents of the University of Wisconsin System ~~and the~~
13 Board of Trustees of the University of Wisconsin-Madison may accept the moneys
14 on behalf of the state. The ~~board of regents~~ Board of Regents and the Board of
15 Trustees shall, in the administration of the expenditure of such moneys, comply with
16 the requirements of the act of congress making the moneys available and with the
17 regulations prescribed by the federal government or the federal agency
18 administering the act, insofar as the act or regulations are consistent with state law.
19 The ~~board of regents~~ Board of Regents and the Board of Trustees may submit any
20 plan, budget, application or proposal required by the federal agency as a precondition
21 to receipt of the moneys. The ~~board of regents~~ Board of Regents and the Board of
22 Trustees may, consistent with state law, perform any act required by the act of
23 congress or the federal agency to carry out the purpose of the act of congress. The

1 ~~board of regents~~ Board of Regents shall deposit all moneys received under this
2 paragraph in the appropriation account under s. 20.285 (1) (m).

3 ***-1187/P5.70* SECTION 227.** 16.54 (9) (a) 1. of the statutes, as affected by 2011
4 Wisconsin Act 7, is amended to read:

5 16.54 (9) (a) 1. "Agency" means an office, department, independent agency,
6 institution of higher education, association, society or other body in state
7 government created or authorized to be created by the constitution or any law, which
8 is entitled to expend moneys appropriated by law, including the legislature and the
9 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
10 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

****NOTE: The above exempts the UW from the requirements under s. 16.54 (9) that
apply to "moneys received by an agency from the federal government as reimbursement
for indirect costs of administration of a federal grant or contract for which no specific use
is mandated by the federal government."

11 ***-1465/P4.85* *-1059/P3.25* SECTION 228.** 16.54 (14) of the statutes is
12 repealed.

13 ***-1322/2.1* SECTION 229.** 16.548 (1) of the statutes is amended to read:

14 16.548 (1) The department may maintain a federal-state relations office in
15 Washington, D.C., for the purpose of promoting federal-state cooperation, headed by
16 a director. The director and a staff assistant for the office shall be appointed by the
17 governor outside the classified service, ~~subject to the concurrence of the joint~~
18 ~~committee on legislative organization.~~ The director and staff assistant shall serve
19 at the pleasure of the governor.

20 ***-1187/P5.71* SECTION 230.** 16.61 (13) (a) of the statutes is amended to read:

21 16.61 (13) (a) The historical society, as trustee for the state, shall be the
22 ultimate depository of the archives of the state, and the board may transfer to the
23 society such original records and reproductions as it deems proper and worthy of

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1 permanent preservation, including records and reproductions which the custodian
2 thereof has been specifically directed by statute to preserve or keep in the custodian's
3 office. The permanent preservation of records of the University of Wisconsin System
4 and of the University of Wisconsin-Madison may be accomplished under par. (b).
5 The society may deposit in the regional depositories established under s. 44.10, title
6 remaining with the society, the records of state agencies or their district or regional
7 offices which are primarily created in the geographic area serviced by the depository,
8 but the records of all central departments, offices, establishments and agencies shall
9 remain in the main archives in the capital city under the society's immediate
10 jurisdiction, except that the society may place the records temporarily at a regional
11 depository for periods of time to be determined by the society. Nothing in this
12 subsection nor in ch. 44 prevents the society's taking the steps for the safety of
13 articles and materials entrusted to its care in library, museum or archives, including
14 temporary removal to safer locations, dictated by emergency conditions arising from
15 a state of war, civil rebellion or other catastrophe.

16 *-1187/P5.72* SECTION 231. 16.61 (13) (b) of the statutes is amended to read:

17 16.61 (13) (b) The board may designate an archival depository at the
18 University of Wisconsin-Madison and at each university as defined in s. 36.05 (13)
19 which shall meet standards for university archival depositories established by the
20 board with the advice of the ~~board of regents~~ Board of Trustees, the Board of Regents,
21 and the historical society or their respective designated representatives. The board
22 may transfer to the appropriate university archival depository all original records
23 and reproductions the board deems worthy of permanent preservation.

24 SECTION 232. 16.70 (1e) of the statutes is amended to read:

1 16.70 (1e) "Agency" means an office, department, agency, institution of higher
2 education, association, society or other body in state government created or
3 authorized to be created by the constitution or any law, which is entitled to expend
4 moneys appropriated by law, including the legislature and the courts, ~~but not~~
5 ~~including an.~~ "Agency" includes the University of Wisconsin-Madison but does not
6 include any other authority.

7 ***-1252/P3.2* SECTION 233.** 16.70 (3g) of the statutes is renumbered 84.01 (13)
8 (a) and amended to read:

9 84.01 (13) (a) ~~"Cost-benefit~~ In this subsection, "cost-benefit analysis" means
10 a comprehensive study to identify and compare the total cost, quality, technical
11 expertise, and timeliness of a service performed by state employees and resources
12 with the total cost, quality, technical expertise, and timeliness of the same service
13 obtained by means of a contract for contractual services.

14 ***-1262/2.2* SECTION 234.** 16.705 (1p) of the statutes is created to read:
15 16.705 (1p) Subsection (1) does not apply to an agreement entered into by the
16 department of veterans affairs under s. 45.50 (2m) (c).

17 ***-1187/P5.74* SECTION 235.** 16.705 (1r) (d) of the statutes is amended to read:
18 16.705 (1r) (d) Contractual services purchased by the Board of Regents of the
19 University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),
20 (ja), (jm), (u), or (w) ~~or (5) (j).~~

21 ***-1187/P5.75* SECTION 236.** 16.705 (1r) (e) of the statutes is created to read:
22 16.705 (1r) (e) Contractual services purchased by the Board of Trustees of the
23 University of Wisconsin-Madison with moneys other than moneys appropriated
24 under s. 20.280 (1) (a) to (s).

25 ***-1252/P3.3* SECTION 237.** 16.705 (2) of the statutes is repealed.

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1 ***-1252/P3.4* SECTION 238.** 16.705 (3) of the statutes is repealed.

2 ***-1252/P3.5* SECTION 239.** 16.705 (8) of the statutes is repealed.

3 ***-1263/P2.1* SECTION 240.** 16.705 (9) of the statutes is created to read:

4 16.705 (9) The department shall maintain a list of persons that are or have
5 been a party to a contract with the state under this subchapter who have violated a
6 provision of this subchapter or a contract under this subchapter. The parties on the
7 list are ineligible for state contracts and no state contract may be awarded to a party
8 on the ineligible list. The department may remove any party from the ineligible list
9 if the department determines that the party's practices comply with this subchapter
10 and provide adequate safeguards against future violations of this subchapter or
11 contracts under this subchapter.

12 ***-1187/P5.76* SECTION 241.** 16.71 (4) of the statutes is created to read:

13 16.71 (4) The department shall delegate to the Board of Trustees of the
14 University of Wisconsin-Madison the authority to enter into contracts for materials,
15 supplies, equipment, or services that relate to higher education and that agencies
16 other than the University of Wisconsin-System or the University of
17 Wisconsin-Madison do not commonly purchase.

18 ***-1267/P1.1* SECTION 242.** 16.72 (2) (d) of the statutes is repealed.

19 ***-1187/P5.77* SECTION 243.** 16.72 (8) of the statutes is amended to read:

20 16.72 (8) The department may purchase educational technology materials,
21 supplies, equipment, or contractual services from orders placed with the department
22 by school districts, cooperative educational service agencies, technical college
23 districts, and the ~~board of regents~~ Board of Regents of the University of Wisconsin
24 System, and the Board of Trustees of the University of Wisconsin-Madison.

25 ***-1187/P5.78* SECTION 244.** 16.73 (4m) of the statutes is created to read:

1 16.73 (4m) The Board of Trustees of the University of Wisconsin-Madison may
2 enter into agreements with other higher education institutions under which any of
3 the parties may agree to participate in, administer, sponsor, or conduct purchasing
4 of materials, supplies, equipment, permanent personal property, miscellaneous
5 capital, or contractual services. The University of Wisconsin-Madison may
6 purchase from any vendor selected as a result of such purchasing agreements.

7 ***-1187/P5.79* SECTION 245.** 16.73 (5) of the statutes is amended to read:

8 16.73 (5) If the department designates the ~~board of regents~~ Board of Trustees
9 of the University of ~~Wisconsin-System~~ Wisconsin-Madison as its purchasing agent
10 for any purpose under s. 16.71 (1), the board may enter into a contract to sell any
11 materials, supplies, equipment or contractual services purchased by the board to the
12 University of Wisconsin Hospitals and Clinics Authority, and may contract with the
13 University of Wisconsin Hospitals and Clinics Authority for the joint purchase of any
14 materials, supplies, equipment or contractual services if the sale or purchase is made
15 consistently with that delegation and with this subchapter.

16 ***-1216/P2.1* SECTION 246.** 16.75 (1) (b) of the statutes is amended to read:

17 16.75 (1) (b) When the estimated cost exceeds ~~\$25,000~~ \$50,000, the department
18 shall invite bids to be submitted. The department either shall ~~either~~ solicit sealed
19 bids to be opened publicly at a specified date and time, or shall solicit bidding by
20 auction to be conducted electronically at a specified date and time. Whenever bids
21 are invited, due notice inviting bids shall be published as a class 2 notice, under ch.
22 985 or posted on the Internet at a site determined or approved by the department.
23 The bid opening or auction shall occur at least 7 days after the date of the last
24 insertion of the notice or at least 7 days after the date of posting on the Internet. The
25 notice shall specify whether sealed bids are invited or bids will be accepted by

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1 auction, and shall give a clear description of the materials, supplies, equipment, or
2 contractual services to be purchased, the amount of any bond, share draft, check, or
3 other draft to be submitted as surety with the bid or prior to the auction, and the date
4 and time that the public opening or the auction will be held.

5 ***-1216/P2.2* SECTION 247.** 16.75 (1) (c) of the statutes is amended to read:

6 16.75 (1) (c) Except as provided in sub. (7), when the estimated cost is ~~\$25,000~~
7 \$50,000 or less, the award may be made in accordance with simplified procedures
8 established by the department for such transactions.

9 ***-1216/P2.3* SECTION 248.** 16.75 (2m) (b) of the statutes is amended to read:

10 16.75 (2m) (b) When the estimated cost exceeds ~~\$25,000~~ \$50,000, the
11 department may invite competitive sealed proposals by publishing a class 2 notice
12 under ch. 985 or by posting notice on the Internet at a site determined or approved
13 by the department. The notice shall describe the materials, supplies, equipment, or
14 contractual services to be purchased, the intent to make the procurement by
15 solicitation of proposals rather than by solicitation of bids, any requirement for
16 surety and the date the proposals will be opened, which shall be at least 7 days after
17 the date of the last insertion of the notice or at least 7 days after the date of posting
18 on the Internet.

19 ***-1216/P2.4* SECTION 249.** 16.75 (2m) (c) of the statutes is amended to read:

20 16.75 (2m) (c) When the estimated cost is ~~\$25,000~~ \$50,000 or less, the
21 ~~department may award the order or contract~~ may be awarded in accordance with
22 simplified procedures established by the department for such transactions.

23 ***-1465/P4.86* *-0808/2.65* SECTION 250.** 16.75 (3m) (a) 1. of the statutes is
24 amended to read:

1 16.75 (3m) (a) 1. "Disabled veteran-owned business" means a business
2 certified by the department of ~~commerce~~ safety and professional services under s.
3 ~~560.0335~~ 490.02 (3).

4 ***-1465/P4.87* *-0808/2.66* SECTION 251.** 16.75 (3m) (a) 2. of the statutes is
5 amended to read:

6 16.75 (3m) (a) 2. "Disabled veteran-owned financial adviser" means a financial
7 adviser certified by the department of ~~commerce~~ safety and professional services
8 under s. ~~560.0335~~ 490.02 (3).

9 ***-1465/P4.88* *-0808/2.67* SECTION 252.** 16.75 (3m) (a) 3. of the statutes is
10 amended to read:

11 16.75 (3m) (a) 3. "Disabled veteran-owned investment firm" means an
12 investment firm certified by the department of ~~commerce~~ safety and professional
13 services under s. ~~560.0335~~ 490.02 (3).

14 ***-1465/P4.89* *-0808/2.68* SECTION 253.** 16.75 (3m) (a) 4. of the statutes is
15 amended to read:

16 16.75 (3m) (a) 4. "Minority business" means a business certified by the
17 department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

18 ***-1465/P4.90* *-0808/2.69* SECTION 254.** 16.75 (3m) (c) 5. a. of the statutes
19 is amended to read:

20 16.75 (3m) (c) 5. a. In determining whether a purchase, contract or subcontract
21 complies with the goal established under par. (b) 1. or s. 16.855 (10m) (am) 1., 16.87
22 (2) (b), or 25.185 (2), the department shall include only amounts paid to minority
23 businesses, minority financial advisers and minority investment firms certified by
24 the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04
25 (2).

1 ***-1465/P4.91* *-0808/2.70* SECTION 255.** 16.75 (3m) (c) 5. b. of the statutes
2 is amended to read:

3 16.75 (3m) (c) 5. b. In determining whether a purchase, contract, or subcontract
4 is made with a disabled veteran-owned business, the department shall include only
5 amounts paid to disabled veteran-owned businesses certified by the department of
6 ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

7 ***-1267/P1.2* SECTION 256.** 16.75 (3t) (c) (intro.) of the statutes is amended to
8 read:

9 16.75 (3t) (c) (intro.) The department of corrections shall periodically provide
10 to the department of administration a current list of all materials, supplies,
11 equipment or contractual services, excluding commodities, that are supplied by
12 prison industries, as created under s. 303.01. The department of administration
13 shall distribute the list to all designated purchasing agents under s. 16.71 (1). Except
14 as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed
15 proposals with respect to the purchase of any materials, supplies, equipment or
16 contractual services enumerated in the list, the department of administration or any
17 other designated purchasing agent under s. 16.71 (1) shall offer prison industries the
18 opportunity to supply the materials, supplies, equipment or contractual services if
19 the department of corrections is able to provide them at a price ~~comparable to that~~
20 is equal to or lower than one which may be obtained through competitive bidding or
21 competitive sealed proposals and is able to conform to the specifications, ~~provided the~~
22 ~~specifications are written in accordance with s. 16.72 (2) (d).~~ If the department of
23 administration or other purchasing agent is unable to determine whether the price
24 of prison industries is ~~comparable~~ equal to or lower than one obtained through
25 competitive bidding or competitive sealed proposals, it may solicit bids or

1 competitive proposals before awarding the order or contract. This paragraph does
2 not apply to the printing of the following forms:

3 ***-1465/P4.92* *-0808/2.71* SECTION 257.** 16.75 (4) (b) of the statutes is
4 amended to read:

5 16.75 (4) (b) The department shall seek the cooperation and assistance of the
6 department of ~~commerce~~ safety and professional services in the performance of its
7 duties under par. (a).

8 ***-1252/P3.6* SECTION 258.** 16.75 (6) (bm) of the statutes is amended to read:

9 16.75 (6) (bm) If the secretary determines that it is in the best interest of this
10 state to do so, he or she may waive any requirement under subs. (1) to (5) and ss.
11 16.705 (1) ~~and (2) to (8), (5), (6), and (7)~~ and 16.72 (2) (e) and (f) and (5) with respect
12 to any contract entered into by the department of children and families under s.
13 49.143, if the department of children and families presents the secretary with a
14 process for the procurement of contracts under s. 49.143 and the secretary approves
15 the process.

16 ***-1216/P2.5* SECTION 259.** 16.75 (6) (c) of the statutes is amended to read:

17 16.75 (6) (c) If the secretary determines that it is in the best interest of this state
18 to do so, he or she may, with the approval of the governor, waive the requirements
19 of subs. (1) to (5) and may purchase supplies, material, equipment, or contractual
20 services, other than printing and stationery, from a private source other than a
21 source specified in par. (b). Except as provided in sub. (2g) (c), if the cost of the
22 purchase is expected to exceed ~~\$25,000~~ \$50,000, the department shall first publish
23 a class 2 notice under ch. 985 or post a notice on the Internet at the site determined
24 or approved by the department under sub. (1) (b) describing the materials, supplies,
25 equipment, or contractual services to be purchased, stating the intent to make the

1 purchase from a private source without soliciting bids or competitive sealed
2 proposals and stating the date on which the contract or purchase order will be
3 awarded. The date of the award shall be at least 7 days after the date of the last
4 insertion or the date of posting on the Internet.

5 ***-1259/P3.1* SECTION 260.** 16.75 (10e) (b) of the statutes is amended to read:

6 16.75 (10e) (b) The If s. 16.855 (10s) (a) provides an applicable standard for the
7 type of agency consuming equipment being purchased and the purchase will cost
8 more than \$5,000 per unit the department, any other designated purchasing agent
9 under s. 16.71 (1), any agency making purchases under s. 16.74, and any authority
10 may not purchase that type of energy consuming equipment unless the specifications
11 for the equipment meet the applicable standards for the equipment established
12 under s. 16.855 (10s) (a). If there is no standard under s. 16.855 (10s) (a) applicable
13 to the type of energy consuming equipment being purchased, or if. If there is an
14 applicable standard under s. 16.855 (10s) (a), but the energy consuming equipment
15 meeting that standard is not reasonably available, the department, purchasing
16 agent, agency, or authority shall ensure, for purchases over \$5,000 per unit, that the
17 energy consuming equipment that is purchased maximizes energy efficiency to the
18 extent technically and economically feasible. The department, purchasing agent,
19 agency, or authority shall not determine that energy consuming equipment that
20 meets the applicable standard under s. 16.855 (10s) (a) either is not reasonably
21 available on the basis of cost alone or is not cost-effective unless the difference in the
22 cost of the purchase and installation of the equipment that meets the standard and
23 the equipment that would otherwise be installed is greater than the difference in the
24 cost of operating the equipment that meets the standard and the equipment that
25 would otherwise be installed over the anticipated life of the equipment.

1 ***-1267/P1.3* SECTION 261.** 16.751 of the statutes is amended to read:

2 **16.751 Information technology purchases by investment board.** The
3 requirements of ss. 16.72 (2) (b) ~~and (d)~~ and 16.75 (1) (a) 1. and (2m) (g) do not apply
4 to procurements authorized to be made by the investment board under s. 16.78 (1)
5 for information technology purposes.

6 ***-1465/P4.93* *-0808/2.72* SECTION 262.** 16.752 (8) (e) of the statutes is
7 amended to read:

8 16.752 (8) (e) Comply with applicable occupational health and safety standards
9 prescribed by the U.S. secretary of labor, the federal occupational health and safety
10 administration or the department of ~~commerce~~ safety and professional services.

11 ***-1187/P5.87* SECTION 263.** 16.78 (1) of the statutes, as affected by 2011
12 Wisconsin Act 7, is amended to read:

13 16.78 (1) Every agency other than the ~~board of regents~~ Board of Regents of the
14 University of Wisconsin System, the Board of Trustees of the University of
15 Wisconsin-Madison, or an agency making purchases under s. 16.74 shall make all
16 purchases of materials, supplies, equipment, and contractual services relating to
17 information technology or telecommunications from the department, unless the
18 department requires the agency to purchase the materials, supplies, equipment, or
19 contractual services pursuant to a master contract established under s. 16.972 (2)
20 (h), or grants written authorization to the agency to procure the materials, supplies,
21 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the
22 materials, supplies, equipment, or contractual services from another agency or to
23 provide the materials, supplies, equipment, or contractual services to itself. The
24 ~~board of regents~~ Board of Regents of the University of Wisconsin System may make

1 purchases of materials, supplies, equipment, and contractual services relating to
2 information technology or telecommunications from the department.

3 ***-1221/3.3* SECTION 264.** 16.841 of the statutes is repealed.

4 ***-1187/P5.88* SECTION 265.** 16.847 (1) (b) of the statutes is amended to read:

5 16.847 (1) (b) "State facilities" means all property owned and operated by the
6 state for the purpose of carrying out usual state functions, including the University
7 of Wisconsin-Madison and each institution within the University of Wisconsin
8 System.

****NOTE: Section 16.848, stats., relating to sale of state-owned real property, is not
amended because under the draft the UW's real property will not be state-owned.

9 ***-1187/P5.89* SECTION 266.** 16.85 (1) of the statutes is amended to read:

10 16.85 (1) To take charge of and supervise all engineering or architectural
11 services or construction work, as defined in s. 16.87, performed by, or for, the state,
12 or any department, board, institution, commission, or officer of the state, and any
13 such work to be performed for the University of Wisconsin-Madison, including
14 nonprofit-sharing corporations organized for the purpose of assisting the state in the
15 construction and acquisition of new buildings or improvements and additions to
16 existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, 37.03, and
17 37.11, except work to be performed for the University of Wisconsin-Madison with
18 respect to a building, structure, or facility that is funded entirely from sources other
19 than general purpose revenue or general fund supported borrowing; the engineering,
20 architectural, and construction work of the department of transportation; and the
21 engineering service performed by the department of ~~commerce~~ safety and
22 professional services, department of revenue, public service commission,
23 department of health services, and other departments, boards, and commissions

1 when the service is not related to the maintenance, and construction and planning,
2 of the physical properties of the state. The department may not authorize
3 construction work for any state office facility in the city of Madison after May 11,
4 1990, unless the department first provides suitable space for a child care center
5 primarily for use by children of state employees.

****NOTE: This is reconciled s. 16.85 (1). This SECTION is affected by drafts with the
following LRB numbers: LRB-1187 and LRB-1465.

6 ***-1221/3.4* SECTION 267.** 16.85 (1) of the statutes, as affected by 2011
7 Wisconsin Act (this act), is amended to read:

8 16.85 (1) To take charge of and supervise all engineering or architectural
9 services or construction work, as defined in s. 16.87, performed by, or for, the state,
10 or any department, board, institution, commission, or officer of the state, and any
11 such work to be performed for the University of Wisconsin-Madison, including
12 nonprofit-sharing corporations organized for the purpose of assisting the state in the
13 construction and acquisition of new buildings or improvements and additions to
14 existing buildings as contemplated under ss. 13.488, 36.09, 36.11, 37.03, and 37.11,
15 except work to be performed for the University of Wisconsin-Madison with respect
16 to a building, structure, or facility that is funded entirely from sources other than
17 general purpose revenue or general fund supported borrowing; the engineering,
18 architectural, and construction work of the department of transportation; and the
19 engineering service performed by the department of safety and professional services,
20 department of revenue, public service commission, department of health services,
21 and other departments, boards, and commissions when the service is not related to
22 the maintenance, and construction and planning, of the physical properties of the
23 state. ~~The department may not authorize construction work for any state office~~

1 ~~facility in the city of Madison after May 11, 1990, unless the department first~~
2 ~~provides suitable space for a child care center primarily for use by children of state~~
3 ~~employees.~~

****NOTE: This is reconciled s. 16.85 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4, LRB-1221/2, and LRB-1465/P3.

4 ***-1187/P5.90* SECTION 268.** 16.85 (2) of the statutes, as affected by 2011
5 Wisconsin Act 7, is amended to read:

6 16.85 (2) To furnish engineering, architectural, project management, and other
7 building construction services whenever requisitions therefor are presented to the
8 department by any agency or the University of Wisconsin-Madison. The department
9 may deposit moneys received from the provision of these services in the account
10 under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned.
11 In this subsection, “agency” means an office, department, independent agency,
12 institution of higher education, association, society, or other body in state
13 government created or authorized to be created by the constitution or any law, which
14 is entitled to expend moneys appropriated by law, including the legislature and the
15 courts, but not including an authority created in subch. II of ch. 114 or subch. III of
16 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, 238, or 279.

17 ***-1187/P5.91* SECTION 269.** 16.85 (5) of the statutes is amended to read:

18 16.85 (5) To promote the use of energy conservation methods in state-owned
19 facilities and facilities owned by the University of Wisconsin-Madison, to implement
20 and refine a statewide energy monitoring system and to develop and implement
21 initiatives of replacing fossil fuels with renewable energy fuels.

22 ***-1187/P5.92* SECTION 270.** 16.85 (7) of the statutes is amended to read:

1 16.85 (7) To rebuild and repair discarded machinery of the several state
2 institutions and the University of Wisconsin-Madison when found feasible, and put
3 the same back into service in the same department or at the university or in any other
4 state department or the university, and upon requisition to furnish services and
5 material and loan equipment at fair rentals based on the cost thereof, in connection
6 with the construction, operation and maintenance of heating and power plants,
7 utilities and equipment.

8 ***-1187/P5.93* SECTION 271.** 16.85 (10) of the statutes is amended to read:

9 16.85 (10) To prepare in cooperation with the state agencies concerned and
10 with the University of Wisconsin-Madison, plans for the future growth and
11 development of various state institutions and to serve as technical adviser to the
12 building commission in connection with the development of the state long-range
13 building program provided in ss. 13.48 and 13.482.

14 ***-1187/P5.94* SECTION 272.** 16.85 (12) of the statutes is amended to read:

15 16.85 (12) To review and approve plans and specifications for any building or
16 structure that is constructed for the benefit of the University of Wisconsin System
17 or any institution thereof, and to periodically review the progress of any such
18 building or structure during construction to assure compliance with the approved
19 plans and specifications. This subsection does not apply to any building, structure,
20 or facility that is constructed, remodeled, repaired, renewed, or expanded for the
21 University of Wisconsin-Madison if the project is funded entirely from sources other
22 than general purpose revenue or general fund supported borrowing.

23 ***-1187/P5.95* SECTION 273.** 16.851 of the statutes is amended to read:

24 **16.851 Plans for state and university buildings, structures or facilities.**

25 Except as the department otherwise provides by rule, records of the department and

1 the University of Wisconsin-Madison containing plans or specifications for any
2 state-owned or state-leased or any university-owned or university-leased building,
3 structure or facility, or any proposed state-owned or state-leased or
4 university-owned or university-leased building, structure or facility, are not subject
5 to the right of public inspection or copying under s. 19.35 (1). If the department or
6 the University of Wisconsin-Madison transfers any records containing any such
7 plans or specifications to any other authority as defined in s. 19.32 (1), the
8 department or university shall require the authority to agree in writing not to make
9 the record available for public inspection or copying except as the department
10 otherwise permits by rule.

11 ***-1187/P5.96* SECTION 274.** 16.8511 of the statutes is amended to read:

12 **16.8511 Secretary of administration; powers, duties.** (1) The secretary
13 or the secretary's designated assistants shall make a biennial inspection of each
14 building of each institution of the state and the University of Wisconsin-Madison.
15 The secretary may delegate this responsibility to the board, commission or officer in
16 charge of such institution.

17 (2) The secretary may delegate any of the work under this subchapter to the
18 various state agencies or to the University of Wisconsin-Madison when the secretary
19 determines that the best interests of the state or the university will be served. All
20 such delegation will be in writing and accompanied by the proper rules and
21 guidelines the agencies or the university must follow to ensure performance to the
22 satisfaction of the secretary.

23 ***-1465/P4.94* *-0808/2.74* SECTION 275.** 16.854 (1) (a) of the statutes is
24 amended to read:

1 16.854 (1) (a) "Minority business" has the meaning given in s. ~~560.036~~ 490.04
2 (1) (e).

3 ***-1465/P4.95* *-0808/2.75* SECTION 276.** 16.854 (1) (b) of the statutes is
4 amended to read:

5 16.854 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~
6 490.04 (1) (f).

7 ***-1187/P5.97* SECTION 277.** 16.855 (2) (intro.) of the statutes is amended to
8 read:

9 16.855 (2) (intro.) Except for projects authorized under s. 16.858, whenever the
10 estimated construction cost of a project exceeds \$40,000, or if less and in the best
11 interest of the state or the University of Wisconsin-Madison, the department shall:

12 ***-1187/P5.98* SECTION 278.** 16.855 (2) (b) 2. of the statutes is amended to read:

13 16.855 (2) (b) 2. If the federal government participates in a state or University
14 of Wisconsin-Madison project, the bid guarantee required in this paragraph
15 controls, unless the federal government makes a specific provision for a different bid
16 guarantee.

17 ***-1187/P5.99* SECTION 279.** 16.855 (5) of the statutes is amended to read:

18 16.855 (5) Any or all bids may be rejected if, in the opinion of the department,
19 it is in the best interest of the state or the University of Wisconsin-Madison. The
20 reasons for rejection shall be given to the bidder or bidders in writing.

21 ***-1187/P5.100* SECTION 280.** 16.855 (7) of the statutes is amended to read:

22 16.855 (7) The department may issue contract change orders, if they are
23 deemed to be in the best interests of the state or the University of
24 Wisconsin-Madison.

25 ***-1187/P5.101* SECTION 281.** 16.855 (10) of the statutes is amended to read:

1 16.855 (10) When the department believes that it is in the best interests of the
2 state or the University of Wisconsin-Madison to contract for certain articles or
3 materials available from only one source, it may contract for said articles or
4 materials without the usual statutory procedure, after a publication of a class 1
5 notice, under ch. 985, in the official state newspaper.

6 ***-1465/P4.96* *-0808/2.76* SECTION 282.** 16.855 (10m) (ac) of the statutes is
7 amended to read:

8 16.855 (10m) (ac) In this subsection, “disabled veteran-owned business”
9 means a business certified by the department of ~~commerce~~ safety and professional
10 services under s. ~~560.0335~~ 490.02 (3).

11 ***-1465/P4.97* *-0808/2.77* SECTION 283.** 16.855 (10n) (a) of the statutes is
12 amended to read:

13 16.855 (10n) (a) In this subsection, “minority group member” has the meaning
14 given in s. ~~560.036~~ 490.04 (1) (f).

15 ***-1187/P5.102* SECTION 284.** 16.855 (13) (c) of the statutes is amended to read:

16 16.855 (13) (c) Changes may be made in the list of subcontractors, with the
17 agreement of the department and the prime contractor, when in the opinion of the
18 department it is in the best interests of the state or the University of
19 Wisconsin-Madison to require the change.

20 ***-1187/P5.103* SECTION 285.** 16.855 (14) (b) of the statutes is amended to
21 read:

22 16.855 (14) (b) The state is and the University of Wisconsin-Madison are not
23 liable to a prime contractor for damage from delay caused by another prime
24 contractor if the department or the university takes reasonable action to require the
25 delaying prime contractor to comply with its contract. If the state or the university

1 is not liable under this paragraph, the delayed prime contractor may bring an action
2 for damages against the delaying prime contractor.

3 ***-1187/P5.104* SECTION 286.** 16.855 (16) (a) of the statutes is amended to
4 read:

5 16.855 (16) (a) This section does not apply to contracts between the state or the
6 University of Wisconsin-Madison and federal government or any agency thereof, or
7 with any political subdivision of the state. Subject to the approval of the governor,
8 the requirements of this section may be waived in emergency situations involving the
9 public health, welfare or safety or with respect to contracting with public utilities,
10 but only when any such waiver is deemed by the governor to be in the best interests
11 of the state or the university.

12 ***-1187/P5.105* SECTION 287.** 16.855 (16) (b) 2. of the statutes is amended to
13 read:

14 16.855 (16) (b) 2. In emergency situations, the governor may approve repairs
15 and construction of a building, structure, or facility in lieu of building commission
16 approval under s. 13.48 (10), and for such purposes, may authorize the expenditure
17 of up to \$500,000 from the state building trust fund or from other available moneys
18 appropriated to an agency or other available moneys of the University of
19 Wisconsin-Madison derived from any revenue source. The governor may delegate
20 to the secretary the authority to grant approvals under this subdivision. The
21 governor shall report any such authorization to the building commission at its next
22 regular meeting following the authorization. In this subdivision, "emergency"
23 means any natural or human-caused situation that results in or may result in
24 substantial injury or harm to the population or substantial damage to or loss of
25 property.

SECTION 288

1 ***-1187/P5.106* SECTION 288.** 16.855 (20) of the statutes is amended to read:

2 16.855 (20) This section does not apply to construction work performed by
3 University of Wisconsin System or University of Wisconsin-Madison students when
4 the construction work performed is a part of a curriculum and where the work is
5 course-related for the student involved. Prior approval of the building commission
6 must be obtained for all construction projects to be performed by University of
7 Wisconsin System or University of Wisconsin-Madison students, except projects
8 specified in s. 13.48 (10 (c)).

9 ***-1187/P5.107* SECTION 289.** 16.855 (22) of the statutes is amended to read:

10 16.855 (22) The provisions of this section, except sub. (10m), do not apply to
11 construction work for any project that does not require the prior approval of the
12 building commission under s. 13.48 (10) (a) if the project is constructed in accordance
13 with policies and procedures prescribed by the building commission under s. 13.48
14 (29). The provisions of this section do not apply to construction work for any project
15 by or for the University of Wisconsin-Madison that is funded entirely from sources
16 other than general purpose revenue or general fund supported borrowing. If the
17 estimated construction cost of any project, other than a University of
18 Wisconsin-Madison project that is exempted under this subsection, is at least
19 \$40,000, and the building commission elects to utilize the procedures prescribed
20 under s. 13.48 (29) to construct the project, the department shall provide adequate
21 public notice of the project and the procedures to be utilized to construct the project
22 on a publicly accessible computer site.

23 ***-1187/P5.108* SECTION 290.** 16.865 (1) (a) of the statutes is amended to read:

1 16.865 (1) (a) ~~Protect~~ Except as provided in sub. (10), protect the state and the
2 University of Wisconsin-Madison from losses which are catastrophic in nature and
3 minimize total cost to the state of all activities related to the control of accidental loss.

4 ***-1187/P5.109* SECTION 291.** 16.865 (2) of the statutes is amended to read:

5 16.865 (2) ~~Identify~~ Except as provided in sub. (10), identify and evaluate
6 exposure to loss to the state, ~~its~~ and University of Wisconsin-Madison and their
7 employees or injury to the public by reason of fire or other accidents and fortuitous
8 events at state-owned and the university-owned properties or facilities.

9 ***-1187/P5.110* SECTION 292.** 16.865 (3) of the statutes is amended to read:

10 16.865 (3) ~~Recommend~~ Except as provided in sub. (10), recommend changes in
11 procedures, program conditions or capital improvement for all agencies and the
12 University of Wisconsin-Madison which would satisfactorily eliminate or reduce the
13 existing exposure.

14 ***-1187/P5.111* SECTION 293.** 16.865 (4) of the statutes is amended to read:

15 16.865 (4) ~~Manage the state employees'~~ Except as provided in sub. (10),
16 manage the worker's compensation program for state and University of
17 Wisconsin-Madison employees and the statewide self-funded programs to protect
18 the state and the University of Wisconsin-Madison from losses of and damage to
19 state property and liability.

20 ***-1187/P5.112* SECTION 294.** 16.865 (5) of the statutes is amended to read:

21 16.865 (5) ~~Arrange appropriate~~ Except as provided in sub. (10), arrange
22 insurance contracts for the transfer of risk of loss on the part of the state and the
23 University of Wisconsin-Madison or ~~its~~ their employees, to the extent such loss
24 cannot reasonably be assumed by the individual agencies or the university or the
25 self-funded programs. The placement of insurance may be by private negotiation

1 rather than competitive bid, if such insurance has a restricted number of interested
2 carriers. The department shall approve all insurance purchases.

3 ***-1187/P5.113* SECTION 295.** 16.865 (8) of the statutes, as affected by 2011
4 Wisconsin Act 7, is amended to read:

5 16.865 (8) Annually Except as provided in sub. (10), annually in each fiscal
6 year, allocate as a charge to each agency and to the University of Wisconsin-Madison
7 a proportionate share of the estimated costs attributable to programs administered
8 by the agency or the university to be paid from the appropriation under s. 20.505 (2)
9 (k). The department may charge premiums to agencies and to the University of
10 Wisconsin-Madison to finance costs under this subsection and pay the costs from the
11 appropriation on an actual basis. The department shall deposit all collections under
12 this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed
13 under this subsection may include judgments, investigative and adjustment fees,
14 data processing and staff support costs, program administration costs, litigation
15 costs, and the cost of insurance contracts under sub. (5). In this subsection, "agency"
16 means an office, department, independent agency, institution of higher education,
17 association, society, or other body in state government created or authorized to be
18 created by the constitution or any law, that is entitled to expend moneys
19 appropriated by law, including the legislature and the courts, but not including an
20 authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231,
21 232, 233, 234, 235, 237, 238, or 279.

22 ***-1187/P5.114* SECTION 296.** 16.865 (10) of the statutes is created to read:

23 16.865 (10) This section does not apply to the University of Wisconsin-Madison
24 for any fiscal year if the University of Wisconsin-Madison, no later than December
25 31 preceding the beginning of that fiscal year, provides written notice to the

1 department that it has elected not to be governed by this section. Any notice of
2 nonelection applies to all subsequent fiscal years unless the University of
3 Wisconsin-Madison, no later than December 31 preceding the beginning of a fiscal
4 year, provides written notice to the department that it has elected to be governed by
5 this section. Any notice of election applies to all subsequent fiscal years unless the
6 University of Wisconsin-Madison again provides timely notice of nonelection.

7 ***-1465/P4.98* *-0808/2.78* SECTION 297.** 16.87 (1) (am) of the statutes is
8 amended to read:

9 16.87 (1) (am) "Disabled veteran-owned business" means a business certified
10 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~
11 490.02 (3).

12 ***-1187/P5.115* SECTION 298.** 16.87 (2) (a) of the statutes is amended to read:

13 16.87 (2) (a) A contract for engineering services or architectural services or a
14 contract involving an expenditure of \$10,000 or more for construction work, or
15 \$30,000 or more for limited trades work, to be done for or furnished to the state or
16 a department, board, commission, or officer of the state or the University of
17 Wisconsin-Madison is exempt from the requirements of ss. 16.705 and 16.75.

18 ***-1187/P5.116* SECTION 299.** 16.87 (5) of the statutes is created to read:

19 16.87 (5) This subsection does not apply to any project for the University of
20 Wisconsin-Madison that is funded entirely from sources other than general purpose
21 revenue or general fund supported borrowing.

22 ***-1187/P5.117* SECTION 300.** 16.875 of the statutes is amended to read:

23 **16.875 Setoffs.** All amounts owed by this state or the University of
24 Wisconsin-Madison under this subchapter are subject to being set off under s. 73.12.

25 ***-1187/P5.118* SECTION 301.** 16.89 of the statutes is amended to read:

1 **16.89 Construction and services controlled by this chapter.** No
2 department, independent agency, constitutional office or agent of the state shall
3 employ engineering, architectural or allied services or expend money for
4 construction purposes on behalf of the state, except as provided in this chapter. The
5 University of Wisconsin-Madison shall not employ engineering, architectural, or
6 allied services or expend money for construction purposes on behalf of the university,
7 except as provided in this chapter and except that the university may engage such
8 employment for any project that is financed entirely from sources other than general
9 purpose revenue or general fund supported borrowing.

10 ***-1187/P5.119* SECTION 302.** 16.891 (1) (b) of the statutes is amended to read:

11 16.891 (1) (b) "Total cost of occupancy" means the cost to operate and maintain
12 the physical plant of a building, structure, or facility, including administrative costs
13 of an agency or the University of Wisconsin-Madison attributable to operation and
14 maintenance of a building, structure, or facility, together with any debt service costs
15 associated with the building, structure, or facility, computed in the manner
16 prescribed by the department.

17 ***-1187/P5.120* SECTION 303.** 16.891 (2) of the statutes is amended to read:

18 16.891 (2) Except as provided in sub. (4), each agency and the University of
19 Wisconsin-Madison shall report to the department no later than October 1 of each
20 year concerning the total cost of occupancy of each state-owned or university-owned
21 building, structure, and facility, excluding public highways and bridges, under the
22 jurisdiction of the agency or university for the preceding fiscal year. The report shall
23 be made in a format prescribed by the department. Beginning in 2009, if a building,
24 structure, or facility is a part of an institution, the agency having jurisdiction of the
25 institution or the University of Wisconsin-Madison shall also include in its report

1 the total cost of occupancy of all of the buildings, structures, and facilities within the
2 institution.

3 ***-1187/P5.121* SECTION 304.** 16.891 (4) of the statutes is amended to read:

4 16.891 (4) The department may exempt an agency or the University of
5 Wisconsin-Madison from compliance with the reporting requirement under sub. (2)
6 with respect to any building, structure, or facility that the department determines
7 to have a minimal total cost of occupancy.

8 ***-1187/P5.122* SECTION 305.** 16.895 (title) of the statutes is amended to read:

9 **16.895 (title) ~~State-owned~~ State- or university-owned or operated**
10 **heating, cooling or power plants.**

11 ***-1187/P5.123* SECTION 306.** 16.895 (2) (a) of the statutes is amended to read:

12 16.895 (2) (a) Prepare all specifications, bid and administer contracts for the
13 purchase of fuels for all ~~state-owned or operated~~ heating, cooling or power plants
14 that are owned or operated by the state or the University of Wisconsin-Madison.

15 ***-1187/P5.124* SECTION 307.** 16.895 (2) (c) of the statutes is amended to read:

16 16.895 (2) (c) Determine the method of operation of ~~state-owned~~ state- or
17 university-owned or operated heating, cooling or power plants, including
18 maintenance standards and policies concerning utilization of alternative fuels and
19 energy conservation.

20 ***-1187/P5.125* SECTION 308.** 16.895 (2) (d) of the statutes is amended to read:

21 16.895 (2) (d) Assure compliance with federal and state laws, federal
22 regulations and state administrative rules applicable to ~~state-owned~~ state- or
23 university-owned or operated heating, cooling or power plants.

24 ***-1187/P5.126* SECTION 309.** 16.895 (2) (e) of the statutes is amended to read:

1 16.895 (2) (e) Delegate to any agency or to the University of
2 Wisconsin-Madison the department's authority under par. (c) or (d) and approve all
3 expenditures of the agency or university under par. (c) or (d).

4 ***-1187/P5.127* SECTION 310.** 16.895 (2) (g) of the statutes is amended to read:

5 16.895 (2) (g) Provide for emissions testing, waste product disposal and fuel
6 quality testing at ~~state-owned~~ state- or university-owned or operated heating,
7 cooling or power plants, and secure permits that are required for operation of the
8 plants.

9 ***-1187/P5.128* SECTION 311.** 16.895 (2) (h) of the statutes is amended to read:

10 16.895 (2) (h) Periodically assess to agencies and the University of
11 Wisconsin-Madison their proportionate cost of the expenses incurred by the
12 department under this subsection and ss. 16.85 (4), 16.90, 16.91 and 16.92 in
13 accordance with a method of apportionment determined by the department.

14 ***-1187/P5.129* SECTION 312.** 16.897 of the statutes is amended to read:

15 **16.897 Space and water heating systems.** In planning and designing space
16 or water heating systems for new or existing state facilities and facilities of the
17 University of Wisconsin-Madison, the department shall ensure that geothermal
18 technologies are utilized to the greatest extent that is cost-effective and technically
19 feasible.

20 ***-1187/P5.130* SECTION 313.** 16.90 (title) of the statutes is amended to read:

21 **16.90 (title) Fuel for state and university heating, cooling or power**
22 **plants.**

23 ***-1187/P5.131* SECTION 314.** 16.90 (2) (a) of the statutes is amended to read:

24 16.90 (2) (a) Prepare all specifications for contracts for the purchase of fuel for
25 each ~~state-owned or operated~~ heating, cooling or power plant that is owned or

1 operated by the state or the University of Wisconsin-Madison. All such
2 specifications where feasible shall provide for purchase of such fuel on a heating
3 value and quality basis and may provide for an adjustment of the base price of any
4 fuel as a result of changes in production or transportation costs during the term of
5 a contract.

6 ***-1187/P5.132* SECTION 315.** 16.90 (2) (b) of the statutes is amended to read:

7 16.90 (2) (b) Distribute fuel purchased by the department ~~or~~, any other agency,
8 or the University of Wisconsin-Madison to agencies ~~that require it or to the~~
9 University of Wisconsin-Madison as required, and reallocate such fuel between
10 agencies or the University of Wisconsin-Madison in the event of a shortage.

11 ***-1187/P5.133* SECTION 316.** 16.90 (2) (c) of the statutes is amended to read:

12 16.90 (2) (c) Set standards for storage of fuel by agencies and the University
13 of Wisconsin-Madison.

14 ***-1187/P5.134* SECTION 317.** 16.90 (2) (d) of the statutes is amended to read:

15 16.90 (2) (d) Test all fuel purchased for each ~~state-owned~~ state- or
16 university-owned or operated heating, cooling or power plant wherein the annual
17 requirement is in excess of 12,500 therms and where purchased on a heating value
18 and quality basis.

19 ***-1187/P5.135* SECTION 318.** 16.90 (2) (e) of the statutes is amended to read:

20 16.90 (2) (e) Promulgate such rules as the secretary considers necessary, not
21 inconsistent with this section, to promote efficiency, energy conservation and
22 economy in the testing, handling and use of fuel for ~~state-owned~~ state- or
23 university-owned or operated heating, cooling or power plants.

24 ***-1187/P5.136* SECTION 319.** 16.91 (2) of the statutes is amended to read:

1 16.91 (2) No contract for the purchase of fuel for any ~~state-owned~~ state- or
2 university-owned or operated heating or heating and power plant wherein the
3 annual requirement is in excess of 12,500 therms is binding unless purchased upon
4 specifications furnished by the secretary. A contract for fuel may be for any term
5 deemed to be in the best interests of the state or the University of
6 Wisconsin-Madison, but the term and any provisions for renewal or extension shall
7 be incorporated in the bid specifications and the contract document.

8 *-1187/P5.137* SECTION 320. 16.91 (3) of the statutes is amended to read:

9 16.91 (3) Payments for fuel delivered under contracts specified in sub. (2) and
10 for delivery costs shall be made upon vouchers approved by the secretary. Upon being
11 audited and paid, the department shall charge each purchase against the
12 appropriation to the agency which has jurisdiction over the facility at which the fuel
13 is used or to the University of Wisconsin-Madison, if the university has such
14 jurisdiction. The secretary shall report on a quarterly basis to each such agency and
15 to the University of Wisconsin-Madison the total amount of payments charged under
16 this subsection to each of its appropriations and facilities. Approval of the payments
17 by the any agency whose appropriation is charged is not required.

18 *-1187/P5.138* SECTION 321. 16.92 (2) of the statutes is amended to read:

19 16.92 (2) Each agency and the University of Wisconsin-Madison shall utilize
20 the most cost-effective means of procurement of fuel, electricity, heat and chilled
21 water.

22 *-1187/P5.139* SECTION 322. 16.93 (2) of the statutes is amended to read:

23 16.93 (2) Except as provided in sub. (3), any agency or the University of
24 Wisconsin-Madison, with the approval of the department, may sell fuel, water,

1 sewage treatment service, electricity, heat or chilled water to another agency, a
2 federal agency, a local government or a private entity.

3 ***-1224/P3.13* SECTION 323.** 16.95 (intro.) of the statutes is amended to read:

4 **16.95 Powers and duties.** (intro.) The department shall, through a system
5 of comprehensive long-range planning, promote the development and the maximum
6 wise use of the energy, natural, and human resources of the state. ~~It~~ and develop and
7 implement a cost-effective, balanced, reliable, and environmentally responsible
8 energy strategy to promote economic growth. The department shall do all of the
9 following:

10 ***-1224/P3.14* SECTION 324.** 16.954 of the statutes is repealed.

11 ***-1224/P3.15* SECTION 325.** 16.956 of the statutes is repealed.

12 ***-1142/P1.1* SECTION 326.** 16.957 (2) (d) 2m. of the statutes is created to read:

13 16.957 (2) (d) 2m. In fiscal years 2011-12 and 2012-13, at the department's
14 discretion, subtract no more than \$10,000,000 from the amount required to be spent
15 on weatherization and other energy conservation services under par. (a).

16 ***-0823/P1.1* SECTION 327.** 16.964 (1m) (k) of the statutes is repealed.

17 ***-0830/P6.2* SECTION 328.** 16.964 (5) (a) of the statutes is amended to read:

18 16.964 (5) (a) The office shall provide grants from the appropriation under s.
19 20.505 (6) ~~(e)~~ (kb) to cities to employ additional uniformed law enforcement officers
20 whose primary duty is beat patrolling. A city is eligible for a grant under this
21 subsection in fiscal year 1994-95 if the city has a population of 25,000 or more. A city
22 may receive a grant for a calendar year if the city applies for a grant before September
23 1 of the preceding calendar year. Grants shall be awarded to the 10 eligible cities
24 submitting an application for a grant that have the highest rates of violent crime

1 index offenses in the most recent full calendar year for which data is available under
2 the uniform crime reporting system of the federal bureau of investigation.

3 ***-0830/P6.3* SECTION 329.** 16.964 (12) (b) of the statutes is amended to read:

4 16.964 (12) (b) The office shall make grants to counties to enable them to
5 establish and operate programs, including suspended and deferred prosecution
6 programs and programs based on principles of restorative justice, that provide
7 alternatives to prosecution and incarceration for criminal offenders who abuse
8 alcohol or other drugs. The office shall make the grants from the appropriations
9 under s. 20.505 (6) (b), (j) (kn), and (ku). The office shall collaborate with the
10 departments of corrections and health services in establishing this grant program.

11 ***-0858/P1.1* SECTION 330.** 16.964 (12) (br) of the statutes is created to read:

12 16.964 (12) (br) Any county that receives a grant under this subsection on or
13 after January 1, 2012, shall provide matching funds that are equal to 25 percent of
14 the amount of the grant.

15 ***-0830/P6.4* SECTION 331.** 16.964 (14) (intro.) of the statutes is amended to
16 read:

17 16.964 (14) (intro.) Beginning in fiscal year ~~2008-09~~ 2011-2012, from the
18 appropriation under s. 20.505 (6) (f) (ke), the office shall in each fiscal year provide
19 \$~~20,000~~ \$17,000 to each of the following child advocacy centers for education,
20 training, medical advice, and quality assurance activities:

****NOTE: This is reconciled s. 16.964 (14) (intro.). This section has been affected
by drafts with the following LRB numbers: LRB-0830 and LRB-1104.

21 ***-0827/P1.1* SECTION 332.** 16.964 (15) (b) of the statutes is renumbered
22 16.964 (15) (b) 1.

23 ***-0827/P1.2* SECTION 333.** 16.964 (15) (b) 2. of the statutes is created to read: